

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

STACY NEWMAN,

Plaintiff,

CASE NO. 08-CV-11883

v.

DISTRICT JUDGE LAWRENCE ZATKOFF  
MAGISTRATE JUDGE CHARLES BINDER

WARREN C. EVANS, Wayne County  
Sheriff; JOHN DOE, Wayne County  
Jail Medical Staff; JOHN DOE, Wayne  
County Officials;

Defendants.

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**ORDER ALLOWING CONFERENCE AND DEPOSITION  
TO TAKE PLACE IN PRISON/JAIL**

This *pro se* prisoner civil rights case was referred to the undersigned magistrate judge for pretrial proceedings on May 9, 2008. (Dkt. 4.) The matter is now before the Court on Defendant's Ex-Parte Motion to allow Rule 26 Conference and Plaintiff's Deposition in Prison. (Dkt. 11.)

**IT IS ORDERED THAT**, pursuant to Fed. R. Civ. P. 26(f), Defense counsel may meet and confer with Plaintiff in the Michigan Department of Corrections Facility for purpose of discussing the pending lawsuit, discovery and developing a discovery plan;

**IT IS FURTHER ORDERED THAT**, pursuant to Fed. R. Civ. P. 30(a), Defense counsel may take the deposition upon oral examination of Plaintiff who is presently a prisoner serving a sentence under the jurisdiction of the Michigan Department of Corrections;

**IT IS FURTHER ORDERED THAT** the MDOC shall have control over the location of the deposition and whether the deposition takes place;

**FINALLY, IT IS ORDERED THAT** attendees shall include Plaintiff, Defense Counsel, the Court Reporter and (if approved by the MDOC) a member of Wayne County Corporation Counsel such as a Legal Assistant, Paralegal or the like.

**IT IS SO ORDERED.**

s/ Charles E Binder

CHARLES E. BINDER  
United States Magistrate Judge

Dated: June 13, 2008

## **CERTIFICATION**

I hereby certify that this Order was electronically filed this date, electronically served on Judge Zatkoff and Karie Boylan, and served on Stacy Newman by First-Class Mail.

Dated: June 13, 2008 By s/Mimi D. Bartkowiak  
Law Clerk to Magistrate Judge Binder